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picket-guard, having ventured across the line, was made prisoner, but subsequently released."

1. How admirably does the war-principle guarantee the continuance of peace! Here we see its legitimate workings; and nothing but a resort to *pacific* measures could prevent war to the knife. Had there been no war-preparations in this case, no means at hand of annoyance or defence, the atrocities we have recorded could never have occurred.

2. Just reflect on the common estimate of war-deeds. In the cases before us, we find only what is common in every species of war; and, had the Canadians acquired by the sword what they sought, or some of our own citizens sought for them, such deeds of savage atrocity as we have quoted, would, if sufficiently numerous and successful, have covered many a warrior with unfading laurels! and Christians themselves would have joined in the chorus of hosannas to their name!

3. What blessed results do we find here of our own Revolution! Our fathers claimed the right, whenever they chose, of resisting, sword in hand, the government over them; and the Canadians and Texians, the lynchites of the South, and the mobocrats of the North, the East and the West, merely follow in their footsteps. They all proceed on the same principle. 'Give us our rights, or we'll take them,' said the revolutionists of '76 to their rulers. 'Give us our rights, or we'll take them,' say the Canadian insurgents. 'Give us our rights, or we'll take them,' reëcho the sovereign mob at Harrisburg to the Legislature of Pennsylvania. 'Give us our rights, or we'll take them,' reiterated the mobs of Boston, and New York, Cincinnati and Philadelphia. It is in every case the old tune of the Revolution; and we fear it will yet be sung to the ruin of our free and glorious institutions.

THE CONTEST BETWEEN FRANCE AND MEXICO.

FRANCE AND MEXICO: *An Examination of the difficulties between those Powers.* BY A CITIZEN OF THE UNITED STATES.

Public opinion is the only earthly tribunal before which rulers can be arraigned; and the press, as the chief organ of this omnipresent tribunal, ought to watch their movements with sleepless vigilance, and utter in tones of thunder its warnings or rebukes against every movement towards war. Had the

press done this in season to France in the able and fearless style of the pamphlet before us, she might have been held back from the outrages she has, in her difficulties with Mexico, perpetrated against the law of nations; but nearly all our political papers, and not a few of our religious journals, have spoken of the whole affair in either a complimentary or a cold-blooded manner, and narrated battles, bloodshed and devastation with an apparent zest which might well make us blush for the war-degradation of men calling themselves Christians.

POWER OF PUBLIC OPINION OVER WAR.

"It is a very general feeling, that in case of war between two nations, it is merely their own concern. Hence, very little pains are taken to look into the merits of their dispute, and very little interest felt in the result. And thus is injustice oft-times permitted to triumph, without even the punitive visitation of public opinion. The welfare of nations requires that this feeling be rectified. This indifference to the weal and wo of others is not only a sordid feeling, but one that jeopardises the general good. In the case of nations, it enables the strong to oppress the weak unrebuked, and renders every nation liable, in its turn, to become the victim of ruthless aggression. Thus have nations a common interest in keeping an eye on all belligerent movements. The merits of every international dispute should be understood by the whole world; and on the head of the aggressor should fall the concentrated and scorching rays of universal indignation and scorn. No war should hereafter occur, without the arraignment of the parties before the tribunal of public opinion, before which they can be brought, though they spurn arbitration.

Let it not be said, that such a censorship as is here contemplated, would, by being self-constituted, possess no authority, and have no influence. Who but individual volunteers are the writers on international law, those great directors of public opinion, who, by the mere force of written reason, 'control the conduct of rulers, and lay down precepts for the government of mankind?' Governments do not appoint them to treat on national obligations; and yet the mere opinions of those masters of reason and equity are cited as authority by the mightiest potentates, and are more efficient than statutory law itself that has not justice to commend it. If, then, justice and truth are thus potent in this instance, in individual hands, what shall prevent their efficiency in the hands of competent, disinterested individuals in the case contemplated? If the friends of peace are true to their cause, they will from this time forth interpose a serious obstacle in the way of aggression, by the simple means now brought into view of permitting no case of international dispute to escape their investigation, and of exhibiting the result of that investigation before the eyes of all mankind, instead of leaving them to be blinded by the misrepresentations of party injustice and aggression. Nor would their labors be in vain. Disinterested, impartial and philanthropic, with truth for their guide, and justice for their aim, their decisions would far outweigh, in public estimation, the unfounded pretensions of aggressive power.

Humanity has at length roused from her slumbers, and is now awake to these untold and inexcusable evils, that have so long and so wantonly been inflicted on our race. And she will sleep no more. With argus eyes she is now watching the movements of nations; and with thunder tones will she proclaim to all lands the damning deeds of mad ambition and perverted power. The days of conquest and aggression are numbered. Mankind will no longer be left to the deceptions of the war manifestos of designing and ambitious tyrants. On every occasion of international difficulty henceforward, ten thousand *peps* will bristle in behalf of the oppressed, and will prove more terrible to aggression, than 'an army with banners;' for though injustice may stand before

physical force, it cannot withstand the power of truth. Let not the bloody despots of earth flatter themselves, that they will any longer be permitted to pursue their sanguinary career without the closest scrutiny, and the fullest exposure. The enlightened friends of peace will give those disturbers of human tranquillity no respite, but will drag them from their dark recesses, arraign them before the tribunal of injured humanity, and consign them to the fearful retribution of public indignation."

THE POINTS AT ISSUE BETWEEN FRANCE AND MEXICO.

"It appears that no treaty has ever been made between those powers, and consequently, that they are under no obligation to each other, except those common obligations of equity and courtesy, enjoined by the dictates of reason and the law of nations. And though France was slow to acknowledge the independence of Mexico, yet this she has done since the accession of Louis Philippe. In making this acknowledgment, she has of course laid herself under obligation to treat Mexico with all the respect and courtesy due from one independent nation to another.

France now complains of Mexico for the pillage and destruction of French property; for the compulsory exaction of loans from French merchants; and for the deficiency of justice in the Mexican civil tribunals, and in the civil and military authorities. She requires the deposition from office of a Mexican general (Gomez), for having ordered two Frenchmen to be shot, and an indemnity of twenty thousand dollars to their families. She requires heavy indemnities to the families of certain Frenchmen who have, in the course of a number of years been assassinated in different parts of the Mexican republic, the assassins not having been brought to justice. She requires the release of certain French prisoners, and indemnities to them for their confinement. Lastly, she requires that Frenchmen have the right of selling by retail in Mexico, and that they be exempted from war contributions and extraordinary imposts.

To these complaints and demands, Mexico replies:—that the pillage and destruction of French property occurred during the civil commotions of the country, when the Mexicans themselves suffered in a similar way without indemnity, the government not deeming itself under obligations to make indemnity under such circumstances; that French merchants are not exempt by treaty from the necessary exactions in cases of emergency; that circumstances should be considered, in order to form a correct conclusion with regard to the alleged remissness of the Mexican authorities in the execution of justice; that the two Frenchmen shot by the order of Gen. Gomez were engaged in an expedition against Tampico; that the assassins of the Frenchmen have not been brought to justice for want of proof, or from their having escaped, &c.; that some of the French prisoners are accused of crime, and others are already sentenced, and are receiving their punishment in prison; that the Mexican constitution has delegated to the executive no power to liberate them under such circumstances; that, as an independent nation, it is confessedly optional with herself as to what commercial privileges to grant to other nations; and that she has no idea of granting to France privileges of this nature which she does not grant to any other nation, not even excepting Great Britain and the United States,—the two powers that were foremost in acknowledging her independence, while France so long declined to do it. On her own part, Mexico complains of the exaggeration of the reclamations on the part of France; of the arrogant and despotic manner of making them; and of the irritating obstinacy of the French in carrying the idea, that their differences are with the government and not with the people of Mexico."

This summary of charges and responses our author considers at some length under ten specifications, of which we can quote only a few specimens.

EXACTION OF LOANS.

"Foreigners enjoying protection and deriving advantages in any particular country, ought not to deem it a very great hardship, if, in cases of great emergency, they are required to bear a proportion of the public burthens, when, as in the case of France, their own government cares not enough for their interests to provide by treaty for their exemption. Nor has that government itself any just ground of complaint in this respect. How can a government expect special privileges for its people, without taking pains to treat for them? What says the law of nations on these matters?

'The inhabitants, as distinguished from citizens, are strangers, who are permitted to settle and stay in the country. Bound by their residence to the society, they are subject to the laws of the state, while they reside there; and they are obliged to defend it, because it grants them protection, though they do not participate in all the rights of citizens. They enjoy only the advantages which the laws or customs give them. Since the lord of the territory may forbid its being entered when he thinks proper, he has, doubtless, a power to make the conditions on which he will admit of it. From a sense of gratitude for the protection granted him, and the other advantages he enjoys, the stranger ought not to confine himself to the respect due to the laws of the country; he ought to assist it upon occasion, and to contribute to its defence, as much as his being a citizen of another state may permit him. Nothing hinders his defending it against pirates or robbers; against the ravages of an inundation, or the devastations of a fire. Can he pretend to live under the protection of a state, and to participate in a multitude of advantages, without doing any thing for its defence, and to be a tranquil spectator of the dangers to which the citizens are exposed? If such things are required of him as he is not willing to perform, he may quit the country.'—*Vattel's Law of Nations*, Book I, sec. 213, Book II, sec. 100, 105, 108."

DEPOSITION OF GEN. GOMEZ.

"The matter of the two Frenchmen appears to stand thus:—Soon after the Texan campaign, the Mexican Gen. Mejia, an expelled rebel, organized in New Orleans an expedition against Tampico, composed of adventurers of various nations. On reaching Tampico, the whole were captured by the Mexicans, with the exception of Mejia, and several of his associates, and were regularly tried by a court martial, and shot. Among them were two Frenchmen. France requires for this, that Gen. Gomez, the Mexican commander, be deposed, and that Mexico pay an indemnity of twenty thousand dollars to the families of those Frenchmen. Individuals who engage in hostilities against a nation with whom their own is not at war, forfeit the protection of their government, and must take their own fate. It is upon this principle that our government refuses to interpose in the case of those Americans who are taken in arms by the British forces in Canada. There is no principle of international law better established than this."

RELEASE OF FRENCH PRISONERS.

"Some of these prisoners are accused of various crimes, and others are already sentenced, and suffering their punishment. The French demand that those criminals be indemnified and set at liberty, and that all proceedings against them be stayed; a demand with which the executive has no power to comply, the constitution of the republic delegating no such power to him. This demand is therefore not only a violation of justice, but it is one, a compliance with which is utterly impracticable. Nor is this all; it contravenes the provisions made in the law of nations in respect to foreigners in such a case. 'The empire,' says Vattel (Book II, sec. 101, 102, 108), 'has the right of command in the whole country, and the laws are not confined to regulating the conduct of

the citizens among themselves; but they determine what ought to be observed by all orders of people throughout the whole extent of the state. In virtue of this submission, the strangers who commit a fault ought to be punished according to the laws of the country. The end of pains and penalties is, to render the laws respected, and to maintain order and safety. From the same reason, the disputes that may arise between strangers, or between a stranger and a citizen, ought to be terminated by the judge of the place, and also according to the laws of the place. The stranger cannot pretend to enjoy the liberty of living in the country without respecting the laws; if he violates them, he is punishable as a disturber of the public peace, and being guilty with respect to society.' Thus we perceive, that the interference of France in the case of the French prisoners condemned by the Mexican laws, is a flagrant outrage on the law of nations."

RIGHT OF THE FRENCH TO RETAIL.

"What makes this claim the more unjustifiable, is the consideration, that in demanding this, France requires what is not granted by Mexico to any other nation, not even to Great Britain or the United States, both of which countries were so forward to acknowledge Mexican independence, for doing which, Mexico, prompted by the magnanimous spirit of the moment, granted them privileges which proved disadvantageous to herself, and which she would not now grant even to them, were the matter to be considered again."

EXORBITANT CLAIMS OF INDEMNITY.

"The French demand six hundred thousand dollars, without undertaking to show all the items of damage on which the demand is based; and nearly the whole of those which they do specify, are out of all proportion in point of equity. For example: for one French shop-keeper, who, during a tumult, had a few panes of glass broken, France demands \$2500! For the imprisonment of three beggarly, suspected Frenchmen, one night, and their compulsory return from Tehuantepee to Oajaca, \$6000! For the seizure of thirty smuggled bars of silver, \$30,000! For the *eating up* of the contents of a French pastry-cook's shop, worth from \$100 to \$500, in the Mexican village of Tacubaya, by the soldiers of Santa Anna, \$20,000!! Outrageously exaggerated, however, as these demands are, Mexico, for the sake of peace, and being unable to induce France to consent to arbitration, consented to pay them; when lo, as if bent on war, France made additional claims of a different nature, which have already been brought into view, such as the deposition of military officers and judges of courts, thereby throwing insurmountable obstacles in the way of peace, by requiring what was not in the power of the Mexican government to perform."

Such are some of the glaring facts of the case; but Mexico "still manifests a disposition to act right. She proposes arbitration. She is willing that the disinterested should examine the difficulties, and to be herself bound by their decision. She is willing to do not merely what she herself considers justice, but what others not interested consider so. And how does France meet this reasonable proposal? She rejects it; and this too, though backed by the British and American governments. She will not risk her cause in the hands of a disinterested arbitrator. Could there be stronger evidence than this, of a consciousness of injustice on her own part? Well might the mercantile deputation from London, Liverpool, Manchester, Glasgow and Belfast, in their interview with Lord Palmerston, hold the following language in reference to this case:—"The conduct of France was distinguished by remarkable severity, in continuing the blockade after the offer of the Mexican government to leave all matters in difference between it and France to the arbitration of an independent power. There was something revolting to the common principles of justice, in any power assuming to determine for itself the precise measure of compensation to

which it was entitled, and then saying, 'Here is our demand,—we will not relax one iota of what we claim,—we will refer to no intermediate tribunal whatever,—we are the sole judges of what we require,—and if you do not pay all we claim, we will blockade your ports until we compel you.' ”

“In taking this course, she manifests a growing inclination to be at her old tricks again. She seems already to have forgotten the terrible lesson taught her in 1814–15. She has recommenced her imperious dictatorship, though, to be sure, on a petty scale. Louis Philippe is in a fair way to earn the unenviable title of Napoleon the Little, the puissant assailant of small and juvenile states. France, at this very moment, is waging against Mexico as unjustifiable a war as any she ever waged under Napoleon himself,—as any ever waged under the banners of mad ambition at any period. It now remains to be seen, whether this mode of national procedure, so like that of barbarian times, is to be countenanced in the present age. If a nation can at this day make unjust demands of another, and enforce those demands without rebuke from any quarter, wherein are we in advance of the ages of barbarism? Nations should look to this matter. They should, for the common weal, set their faces against every thing bordering on aggression; for peace can be secured only by being founded on justice. I will not say, that the scenes of 1814–15 should be reëxhibited. I say not, that Europe in arms should again present herself before the walls of the French capital. But this I say; that the nation that will so disregard the spirit of the age as to embark in war manifestly unjust, and spurn all disinterested and philanthropic overtures, on the part of friendly nations, to effect a reconciliation, outrages the universal sense of right, and should be ejected from the community of civilized nations, as a barbarian power. All nations should refuse intercourse or communication with a power that will thus wantonly and wickedly bring upon any people the tremendous evils of war. If the murder of one man makes a villain, and subjects him to the execrations of his race, what terms can express, what mind conceive, the blackness of that turpitude, the profundity of that wickedness, that will deliberately plunge peaceful nations into an unjust war, sacrificing the lives of thousands on thousands, and filling the world with mourning, lamentation and woe? Talk of the atrocity of brigands and pirates! In an unjust war, you see brigand armies, instead of robber bands, and pirate fleets, instead of solitary corsairs. Every such soldier is a robber, every sailor a pirate, and every death a murder. Is a murderer a villain? Is a pirate an execrable outlaw? Then what is the wholesale murderer and pirate that wages aggressive war, and robs and murders nations? What, but a wretch for whom the whole black vocabulary of damnatory epithets is quite too meagre to furnish an appropriate name.”

Such is war; and yet this custom, founded on the very principle of making might the arbiter of right, is regarded by not a few as a tribunal of justice, as the only way to prevent or redress wrongs, and to secure an equitable adjustment of difficulties between nations!

CIVIL WAR IN SPAIN:

BRITISH PHILANTHROPY INTERPOSING TO ARREST ITS HORRORS.

Few are aware how far the civil war in Spain has extended its ravages, or what atrocities and horrors have marked every month of its progress for years. It was supposed long ago to have destroyed nearly half a million of lives; and the calamities attendant upon its course, are quite inconceivable by those who